



CITY OF LODI

COUNCIL COMMUNICATION

AGENDA TITLE: Public Hearing Regarding Community Development Block Grant Program
Reallocation Fiscal Year 1990-91 to Graffiti Abatement Project
Amendatory Entitlement Statement

MEETING DATE: September 16, 1992

PREPARED BY: City Clerk

RECOMMENDED ACTION:

Based on information received from the U. S. Department of Housing and Urban Development that graffiti removal is not eligible under the regulatory section cited by the City of Lodi in its request, it is recommended that the scheduled public hearing on this subject not go forward and that the City Council take no further action on the matter at this time.

BACKGROUND INFORMATION:

Attached, marked Exhibit A, is a copy of a letter from the U. S. Department of Housing and Urban Development stating that although graffiti removal is a eligible CDBG activity, it is not eligible under the regulatory section 570.20(c) cited in the City's request. Based on the information contained in this letter and staff's review of the matter, it is recommended that the City Council take no action on the matter. According to Community Development Director Schroeder, staff may want to reschedule this matter for Council consideration at a later date.

FUNDING: None required.

Alice M. Reimche
City Clerk

AMR/jmp

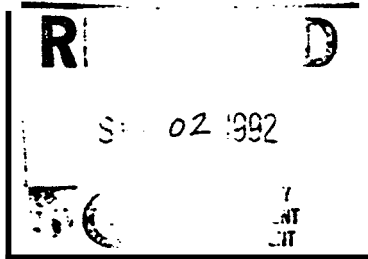
APPROVED _____

THOMAS A. PETERSON



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U.S. Department of Housing and Urban Development

San Francisco Regional Office, Region IX
450 Golden Gate Avenue
San Francisco, California 94102-3448

AUG 25 1992

RECEIVED
AUG 28 1992

San Joaquin County
Neighborhood Preservation Division

Ms. Rene' Jackson
Deputy Director
Community Development Department
San Joaquin County
1810 E. Hazelton Avenue
Stockton, CA 95205-6232

Dear Ms. Jackson:

Subject: Community Development Block Grant Program
Program No. B-92-MC-06-0009
City of Lodi Graffiti Abatement Program
Eligibility Determination

This is in response to your July 20, 1992, letter regarding the proposed subject activity. Although graffiti removal is an eligible CDBG activity, it is not eligible under the regulatory section 570.20(c), cited in your letter.

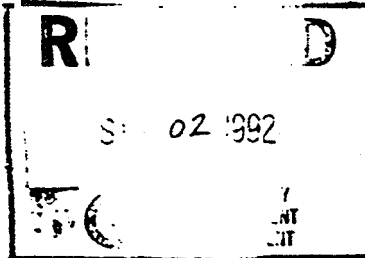
HUD has determined that graffiti removal from public and/or private property can be funded as part of a neighborhood clean up campaign under the interim assistance section of the CDBG regulations (Section 570.201(f)), if the area in which the removal is taking place exhibits signs of physical deterioration, the grantee has determined that immediate action is necessary to arrest the deterioration, and permanent improvements will be carried out in the area as soon as possible, in accordance with Section 570.201(f)(1).

In addition, HUD has determined that graffiti removal from privately owned properties could be eligible as a rehabilitation activity under Section 570.202. However, graffiti removal from a public facility or improvement is not eligible under Section 570.201(c), because it is considered to be maintenance and, as such, is ineligible under Section 570.207(b)(2).

We recommend the County again review the subject activity to determine if it meets all of the eligibility requirements noted above.

The activity, if funded, could meet the National Objective cited in your letter, 570.208(a)(i).

C. ERK Decker



U.S. Department of Housing and Urban Development

San Francisco Regional Office, Region IX
450 Golden Gate Avenue
San Francisco, California 94102-3448

AUG 25 1992

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We recommend the County again review the subject activity to determine if it meets all of the eligibility requirements noted above.

The activity, if funded, could meet the National Objective cited in your letter, 570.208(a)(i).

If you have further questions regarding this activity,
please call Pat Gruver or me at (415) 556-8214.

Very sincerely yours,

Jimmy L. Prater

Jimmy L. Prater
Program Manager, Team A
Office of Community Planning
and Development

COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM
REALLOCATION FISCAL YEAR 1990-91 TO GRAFFITI ABATEMENT PROJECT
AMENDATORY ENTITLEMENT STATEMENT
PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on Wednesday, September 16, 1992 at the hour of 7:30 p.m., or as soon thereafter as the matter may be heard, the Lodi City Council will consider the proposed amendatory statement of activities by holding a public hearing during the regularly scheduled Council meeting of September 16, 1992 in the Carnegie Forum, 305 West Pine Street, Lodi. Oral comments will be received by the Council during the public hearing. Written comments concerning the use of funds stated below *may* be submitted on or before the public hearing to Jim Schroeder, Community Development Director, City Hall, P.O. Box 3006, Lodi, Ca. Activities funded with CDBG moneys must either principally benefit low and moderate income persons, contribute to the elimination of a slum or blighted condition, or resolve a community development need having a particular urgency.

The following activities will be considered by the City Council:

Amendatory Statements
Reallocation of FY 1990-91
CDBG Funds

<u>Project Description</u>	<u>Account Number</u>	<u>Reallocation</u>
Public Safety Program	45.5-503.04	\$19,402.24

This activity has been completed and the balance would continue to go unused if it were not reallocated to other projects.

Amendatory Statements
Reallocation of FY 1990-91
CDBG Funds

<u>Project Description</u>	<u>Account Number</u>	<u>Reallocation</u>
Code Enforcement	45.5-301.03	\$14,000.00

This account is considered a surplus due to the fact that there are several years' Code Enforcement accounts with unencumbered balances. TO use the funds would help to utilize the surplus balance. The combined total of the two reallocations is sufficient to fund the Graffiti Abatement Project.

Amendatory Statements
New Account for FY 1992-93

<u>Project Description</u>	<u>Account Number</u>	<u>New Balance</u>
Graffiti Abatement	TBA	\$33,402.24

The City will engage in the program in order to eradicate graffiti on the east side of town. Through this project, the City will be able to combat the proliferation of graffiti where it might not otherwise be addressed. In addition to assisting low and moderate income individuals the City will be helping to eliminate a slum or blighted condition.

If you challenge the subject matter in court, You may be limited to raising only those issues you or someone else raised at the public hearing described in this notice or in written correspondence delivered to the City Clerk, 221 West Pine Street, at or prior to the public hearing.

By Order of the Lodi City Council:

Alice M. Reimche

Alice M. Reimche
City Clerk

Dated: August 19, 1992

Approved as to form:

B. W. McNatt
Bobby W. McNatt
City Attorney